

## Timothy E. Davis

Partner

Chair, Business Department

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Tim has over 25 years of experience representing investment funds, insurance companies and banks in a wide array of real estate finance transactions.

### OVERVIEW

Tim Davis, Chair of the Firm's Business Department, is an experienced real estate finance lawyer and previously served as Co-Chair of the firm's Real Estate and Institutional Finance Group. He has over 25 years of experience representing investment funds, insurance companies and banks in a wide array of real estate finance transactions, including the origination, acquisition and restructuring of mortgage loans, mezzanine loans, "B" notes and preferred equity investments. Tim has deep experience structuring and negotiating intercreditor, co-lender and participation agreements. He also regularly represents institutional clients in the acquisition and disposition of performing and non-performing loans and commercial properties. Tim also has extensive experience in the restructuring, enforcement and resolution of defaulted loans, including deed-in-lieu of foreclosure transactions.

Tim is a frequent moderator and panelist at real estate finance industry conferences.

### RECOGNITION AND INVOLVEMENT

Since 2021, Tim has been recognized by Chambers USA (Tier 1) as a leading lawyer in real estate finance in Pennsylvania, with one source stating, "Tim is a knowledgeable finance lawyer with a lot of experience and market knowledge."

Since 2016, Tim has been recognized by *The Best Lawyers in America* in the area of Real Estate Law. He is also AV® Preeminent rated by the Martindale-Hubbell peer review rating system.

In 2017, Tim was elected by his peers as a Fellow in the American College of Mortgage Attorneys, a prestigious national invitation-only organization formed to establish an integrated group of lawyers in each state who are highly skilled in real estate lending and related practices.

### PRACTICES

Finance

Real Estate

### BAR AND COURT ADMISSIONS

Pennsylvania

### EDUCATION

University of Pennsylvania Law School, JD, 1989

University of Pennsylvania, MA, 1986

University of Pennsylvania, BA, *magna cum laude*, with distinction in English, 1985

### MEMBERSHIPS

American College of Mortgage Attorneys, Fellow

CRE Finance Council

National Multifamily Housing Council

## REPRESENTATIVE MATTERS

White and Williams Represents Investment Fund in \$68 Million Bridge Financing Mortgage Loan  
5.10.21

Real Estate Finance Team Assists Client in Extension of \$35.5 Million Mortgage Loan  
3.23.21

Representation of insurance company and its investment advisor in origination of \$85 million mortgage loan relating to 254-unit luxury apartment complex

Representation of insurance company and its investment advisor in origination of \$35 million mortgage loan relating to large luxury apartment complex

Representation of investment fund in origination of \$160 million mortgage loan relating to branded hotel and resort

Representation of investment fund in origination of \$60 million mortgage loan relating to expansive multi-family complex with unique real estate complexities

Representation of investment fund in origination of \$22 million mortgage loan relating to acquisition and rebranding of resort hotel

Representation of investment fund in origination of \$35 million mortgage loan and \$10 million mezzanine loan financing of multi-state hotel portfolio

Representation of investment fund in co-origination of \$41 million construction financing of luxury multi-family project, inclusive of complicated senior-subordinate (A/B) co-lender negotiations

Representation of investment fund in acquisition of \$25 million mezzanine loan relating to major urban hotel, inclusive of negotiation of bespoke intercreditor agreement with senior lender and implementation of risk mitigation deal features to address complex real estate issues

Representation of investment fund in \$11 million preferred equity investment in luxury multi-family construction project, inclusive of drafting and negotiating customized recognition agreements with mortgage lender and ground lessor

Representation of investment fund in \$4.4 million preferred equity investment in luxury student housing complex, including negotiating customized recognition agreement with mortgage lender

Representation of investment fund in origination of \$6.4 million mezzanine construction loan for luxury multi-family complex, inclusive of extensive intercreditor negotiations with senior lender

Representation of life insurance company in origination of \$48 million mortgage loan relating to luxury multi-family complex, inclusive of intercreditor negotiations with German pension fund

Representation of life insurance company in origination of \$38 million mezzanine loan relating to Class A office building

Representation of life insurance company in origination of \$30 million mortgage loan financing of class A office building

Representation of life insurance company in origination of \$63 million mortgage loan financing of portfolio of retail centers

Representation of financial institution in origination and syndication of \$175 million mortgage loan of class A office building

Representation of financial institution in origination of \$22 million construction to permanent mortgage loan for medical facility building

Representations of investment funds and life insurance companies in numerous acquisitions and dispositions of mortgage loans, "B" notes and mezzanine loans across the capital stack

Numerous representations of clients with respect to mortgage loan restructurings, mezzanine loan restructurings, deed in lieu transactions and enforcement proceedings

## **IN THE NEWS**

Best Lawyers® Recognizes 40 White And Williams Lawyers  
*Firm News*, 8.18.22

Chambers USA 2022 Ranks White and Williams as a Leading Law Firm  
6.1.22

Best Lawyers® Recognizes 38 White and Williams Lawyers  
8.19.21

Chambers USA 2021 Ranks White and Williams as a Leading Law Firm  
5.20.21

Best Lawyers® Recognizes 43 White and Williams Lawyers  
8.20.20

*Best Lawyers*® Recognizes 29 White and Williams Lawyers  
8.15.19

*Best Lawyers* Recognizes Twenty White and Williams Lawyers  
8.15.18

*Best Lawyers* Recognizes Fifteen White and Williams Lawyers  
8.15.17

Tim Davis Accepted as Fellow into the American College of Mortgage Attorneys  
2.24.17

*Best Lawyers* Recognizes Twelve White and Williams Lawyers  
8.15.16

White and Williams Lawyers Recognized by *Best Lawyers*  
8.17.15

## EVENTS

Borrowers' Perspective: Sourcing Debt in Today's Crowded Market  
iGlobal Forum 12th Real Estate Mezzanine Financing Summit, 5.4.22

Selling and Purchasing Performing and Non-Performing Loans  
iGlobal Forum 10th Real Estate Mezzanine Financing Summit (Virtual), 7.8.20

C-PACE for New Construction/Repositioning  
Webinar, 4.14.20

C-PACE 101: An Introduction to Philadelphia and Pennsylvania Programs  
Webinar, 4.7.20

Keeping Pace with C-PACE: An Introduction for the Commercial Real Estate Community  
White and Williams LLP (Philadelphia, PA), 10.10.19

The 3 R's of Mezzanine and Subordinate Financing: Risks, Rewards and Remedies  
American College of Mortgage Attorneys 2019 Annual Meeting (Monterey, California), 9.6.19

Real Estate Fundamentals: The Current State of the Property and Capital Markets  
iGlobal Forum 9th Real Estate Mezzanine Financing Summit (New York, NY), 5.7.19

Mezzanine Lending and Preferred Equity Panel  
Mortgage Bankers Association of New York Breakfast Program (New York, NY), 3.5.19

Debt Fund 2.0: New Players and Evolving Roles Changing the Face of Mezz  
iGlobal Forum 8th Real Estate Mezzanine Financing Summit (New York, NY), 6.7.18

IMN Real Estate Mezzanine Financing & High Yield Debt Forum: Bridge Loans Panel  
IMN Real Estate Mezzanine Financing & High Yield Debt Forum (New York, NY), 11.8.17

IMN Borrower & Investor Forum: Mezzanine Originator Panel  
IMN Borrower & Investor Forum (New York, NY), 11.1.16

The Changing Landscape of Commercial Loan Documents  
Philadelphia, PA, 4.7.16

Bridge Loans: What Opportunities Does this Market Hold for Lenders/Borrowers in 2016?  
IMN Borrower & Investor Forum (New York, NY), 11.10.15

Finance Forum: Intercreditor and Subordination Agreements in Real Estate & Commercial Finance  
Philadelphia, PA, 4.23.15

## PUBLICATIONS

New York Lawmakers Re-introduce Legislation to Impose Recording Tax on Mezzanine Loans and Preferred Equity Investments  
*Client News Alert*, 2.1.23

New York State Legislature Considers Extending Mortgage Recording Tax to Mezzanine Debt and Preferred Equity  
*Real Estate Alert*, 9.8.20

New York Court Temporarily Enjoins UCC Foreclosure Sale  
*Real Estate Alert*, 8.14.20

Congress Introduces HOPE-ful Solution for Distressed CRE Borrowers  
*Real Estate Alert*, 8.3.20

How COVID-19 Mezzanine Foreclosures May Fare In NY Courts  
*Law360*, 7.7.20

Mezzanine Loan Defaults, UCC Foreclosures and Recent New York Court Decisions  
*Real Estate Alert*, 7.6.20

What's the Standard for "Commercially Reasonable" in a Commercially Unreasonable World (Health Crisis)? Part II  
*Real Estate and Finance Alert*, 5.19.20

What's the Standard for "Commercially Reasonable" in a Commercially Unreasonable World (Health Crisis)?  
*Real Estate and Finance Alert*, 5.15.20

Second Circuit Decision Addresses New York Usury Laws and Post-Default Mortgage Loan Obligations  
*Real Estate Alert*, 4.17.20

Loan Modifications Due to COVID-19 Pandemic: FDIC Answers CARES Act FAQs  
*Real Estate and Finance Alert*, 3.30.20

Selling and Purchasing Performing and Non-Performing Loans: Threshold Issues to Consider  
*Real Estate Alert*, 3.26.20

COVID-19: Loan Enforcement and Foreclosure-Related Actions  
*Real Estate Alert*, 3.25.20

Checklist for Lenders in Turbulent Times: Reviewing Your Portfolio  
*Real Estate Alert*, 3.24.20

Philadelphia Enacts Commercial Property Assessed Clean Energy (C-PACE) Program  
*Real Estate Alert*, 8.14.19

Key Issues for Preferred Equity Investors in Real Estate Transactions  
*Real Estate Alert*, 4.22.19

PACE Loan Considerations for Commercial Real Estate Lenders  
*Real Estate Alert*, 2.5.19

Mortgage and Pledge of Equity — Clogging the Equity of Redemption?  
*Real Estate Alert*, 8.7.18

Key Provisions to Focus on When Negotiating Senior/Subordinate Co-Lender Agreements  
*Real Estate Finance Journal*, Spring 2018

Leasehold Financing: Key Issues for Mortgage Lenders  
*Finance Alert*, 4.16.18

Key Provisions to Focus on when Negotiating Intercreditor Agreements  
*Finance Alert*, 10.5.17

Ten Considerations for Financing Medical Office Buildings  
An Intersection of Real Estate and Healthcare  
*Real Estate Alert*, 9.21.17

Assigning Loan Documents: Practical Reminders  
*Real Estate Alert*, 4.28.17

Construction Mezzanine Financing  
*Finance Alert*, 3.29.17

IRS Reverses Position on "Bad Boy" Guarantees  
*Tax and Finance Alert*, 5.16.16

"Bad Boy" Guarantees Reviewed by the IRS  
*Tax and Finance Alert*, 3.22.16